

## **Tribal and International Affairs**

### **Activity, Accomplishments and Issues, 20-24 February 2017b**

Anthony Greenwater—Director, 312 353 8640

#### **Grants Management and TEAs**

- Advanced routine grants mgt at Forest County, Grand Portage, Grand Traverse, Sault Ste Marie, Little Traverse, White Earth, Little River, St Croix, Bois Forte, Fond du Lac, Prairie Island, Gun Lake, Stockbridge-Munsee, Shakopee, Oneida, Upper Sioux.
- Continued to lead engagement with HQ offices (OGD, OCIR, OLEM, NPM—Brownfields) regarding Brownfields grants and R5 confusion over PPG application requirements.

#### **Tribal Relations**

- Tribes visited: Lac du Flambeau.
- Visited Lac du Flambeau for Circle of Flight and GLRI meeting with 28 tribes and inter-tribal organizations, BIA, USDA, and EPA. Reviewed BIA and GLRI funding processes and ongoing technical opportunities.
- Visited Lac du Flambeau to facilitate LUST planning (see attached). Technical conversation resulted in rejuvenated dialogue and 12 well-defined and achievable immediate to near-term actions.
- Responded to tribal and EPA requests for information/support/involvement in the following:
  - Fee to trust follow-up (SFD, Pokagon)
  - Clarification whether two facilities are in Indian country status (SFD).
  - Remediation reimbursement status (Lac du Flambeau, SFD)
  - EPA contacts regarding CWA 319 application (PKB).
  - Clarification of cost eligibility under PPG (Little Traverse Bay Bands).
  - Conferred on spill response training, expected 28 March 2017 (SFD, WDNR, FCPC).
  - Technical assistance with groundwater modeling regarding Nestle water bottling proposal (LRBC, Pokagon, WD).
- Provided information to SFD regarding Indian country maps, TEA documents, tribal contacts.

#### **Planning**

- Worked with tribes, RIWG, Metcalfe managers and others to finalize TEPM and R5TOC planning. Readiness at about 90%.
- Finalized and distributed the following document:
  - TIAO SOPs for Administering IEGAP Grants and PPGs (distributed to RIWG).
- Continued to work on drafts of the following documents:
  - Guidelines for Communicating with Tribal Governments (ready to finalize).
- Assisted HQ in resolving controlled correspondence response to Menominee, regarding EPA involvement and NHPA support for Back 40 Mine. Signature authority has now been assigned to R5. Letter is in CMS.
- Participated in biweekly Direct Implementation conference call with workgroup and HQ. No progress.
- Updated R5 tribal contact database. Gary Besaw is the Chairman at Menominee, replacing Joan Delabreau.

#### **International Relations**

- Finalized the following documents:
  - TIAO Procedures for Hosting International Visitors (provided to GSA facility managers).
- Standing by for possible visit from Turkish delegation in March-May timeframe regarding water issues.
- Facilitated the foreign travel of appreciative EPA employees (Canada).

## Tower Standard/Haskell Lake LUST Site

Meeting Date: February 23, 2017

Location: Lac du Flambeau

### Discussion Items:

- a) What is known of the nature and extent of contamination.
- b) The adequacy (or not) of data collection, analysis, and modelling.
- c) Whether parties are prepared to begin talking about specific remedial actions.
- d) If any factors above are inadequate, incomplete, or premature, then how should these deficiencies be corrected?

### Meeting Participants:

Lac du Flambeau: Dee Ann Allen, Kristen Hanson

EPA R5 LCD: Sherry Kamke, Bob Egan

EPA R5 TIAO: Anthony Greenwater, Jennifer Manville

### Meeting Outcomes:

1. Existing data on site conditions is incomplete. The plume, for example, has not been completely defined on land or under the lake. Completing the monitoring well network for the site is a priority. **Agreed actions:**
  - a) B.Egan and K.Hanson will have a conference call to identify needed additional well locations.
  - b) EPA and the Tribe will approach WDNR to promote the new well locations. Funding permitting, EPA will install wells not supported by WDNR. Currently available EPA funding—for all commitments—is less than \$130,000. Invoices are pending for earlier work.
  - c) When EPA contractor is on site for monitoring, groundwater elevations will be measured.
2. Existing site model and other technical diagrams could be improved to be more useful for site decision-making. **Agreed actions:**
  - a) B.Egan will request the federal contractor to develop one schematic/figure that depicts all the site information (extent of soil contamination, lithology, extent of groundwater contamination, etc.).
  - b) K.Hanson will submit tribal contractor (Weston) comments on the model to B.Egan. B.Egan will contact Tom Kady about revising the model and get a cost estimate for the federal contractor's next Task Order.
  - c) B.Egan will request in the next Task Order that the federal contractor create a chart of all contaminants that are being sampled.
  - d) B.Egan will request in the next Task Order that a master data table be prepared that is more user-friendly.
3. A consistent process for sharing information and providing feedback between EPA, the Tribe, and the federal site contractor is needed. **Agreed actions:**
  - a) K.Hanson will compile and submit to B.Egan tribal comments on and questions about the 3 previous technical memoranda.
  - b) Under the next Task Order, B.Egan will request that the federal contractor revise the 3 previous technical memoranda based on tribal comments.
  - c) Going forward, K.Hanson will submit comments on technical documents to B.Egan, who will forward to the federal contractor and schedule a three-way conference call for discussion, prior to finalization of the documents.

4. There is sufficient data to design a source removal interim action. No interim action is required, but Tribal approval is required for any removal action. Tribal procedures only allow for excavation of source material prior to completing a site characterization and reviewing the feasibility of all remedial action options. No other interim action can be approved, except as a final action. **Agreed actions:**
  - a) In a new Task Order, B.Egan will request the federal contractor to develop a feasibility report on excavation of source material at the site. A draft report is anticipated in summer 2017.
  - b) B.Egan will contact T.Kady for examples of projects that used soil vapor extraction and air sparging for long-term remedial actions.
  - c) B.Egan will reach out to Steve Dymont (EPA) to discuss the site and potential optimization measures.
5. The Tribe has requested that USGS be approved to use the EPA site access agreement for upcoming work to sample porewater in Haskell Lake sediments. **Agreed actions:**
  - a) K.Hanson will resend USGS project documents to B.Egan.
  - b) B.Egan and S.Kamke will raise the issue of using the EPA access agreement with Land and Chemical Division management and consult with Office of Regional Counsel, then contact property owners, if appropriate.

*Note: Both of the final items were completed shortly after the meeting. EPA received the USGS workplan from LDF and approached the property owner to request that USGS be allowed to enter the property under the EPA site access agreement. The property owners approved this arrangement, with the condition that their contractor be notified in advance and be allowed to observe USGS activities.*

### Commitment Tracker

COMMITMENT	OWNER	STATUS
1A New monitoring well locations identified	EDF, EPA	
1B New well locations promoted to WDFW	EDF, EPA	
1C Groundwater elevations re-measured	EPA	
2A Composite data figure developed	EPA	
2B Tribal contractor model comments submitted and incorporated	EDF, EPA	
2C GCS chart created	EPA	
2D Air data tabulated in more usable format	EPA	
3A Tribal comments and questions submitted re 3 previous technical memoranda	EDF	
3B 3 previous technical memos revised to incorporate Tribal comments. Questions answered.	EPA	
3C Future technical memos will be reviewed by Tribe and comments addressed, prior to finalization.	EDF, EPA	
4A Fe developed for excavation of source material	EPA	
4B Examples provided of other TOS/FE applications	EPA	
4C Optimization resource contacted	EPA	
5A GCS workplan provided to EPA	EDF	completed
5B Property access requested for GCS work	EPA	completed